

# EXHIBIT AA

# About Arnall Golden Gregory LLP

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## Unrivaled Healthcare Expertise

With offices in Atlanta and Washington D.C. and more than 200 attorneys, Arnall Golden Gregory LLP (“AGG”) assists aspiring companies, organizations and individuals to create, grow, and protect their hard-earned assets. Our clients appreciate that we serve as an extension of their in-house leadership and capabilities to help anticipate and respond to opportunities and threats, comply with ever-growing complex regulatory requirements, and continuously invest to know their legal and business priorities. We maintain our success by holding true to our core values and remaining nimble enough to answer client needs as market conditions change. AGG is a law firm with the size, capabilities, and client service approach to provide big-firm services without big-firm fees and bureaucracy.

The depth of our healthcare knowledge and expertise is unrivaled at similar firms of our size, offering clients the same quality of service as a larger firm, but with less cost and more responsiveness. This is partly a function of lower rates from reduced overhead, but we also staff more leanly, with fewer timekeepers on each matter. We have the bench strength for labor-intensive matters, but we are more apt than our competitors to staff matters with experienced lawyers who work efficiently. Indeed, unlike many firms with a pyramid model, we have a heavy partner concentration in order to bring a higher level of overall service to our clients at a lower cost.

AGG offers one of the largest healthcare-dedicated practices in the country, as noted in a recent issue of *Health Lawyer News*. The ABA Health Law Section has recognized AGG’s healthcare practice as one of the top practices in the Southeast and Washington, D.C. AGG is a dedicated partner of and advocate for the healthcare industry with a cross-disciplinary practice team of over 60 attorneys.

## Responding to a Changing Marketplace

We maintain our success by holding true to our core values and remaining nimble enough to answer client needs as market conditions change. Increased globalization, tougher regulations, and protection of information are areas in which AGG has responded by expanding practices and adding experienced attorneys to help our clients, who are often growth-oriented but resource-constrained. Our Washington, D.C. office plays a critical role in keeping our attorneys and clients at the forefront of regulatory changes, particularly in the areas of healthcare, real estate, food and drug/life sciences, consumer regulatory, privacy, financial services, payment processing, global logistics and transportation, affordable housing, and information services.

## National and International Relevance and Reach

Not limited by our office footprint, our firm has a history of serving clients, national and internationally, because of our preeminence in several industries, as well as our depth of knowledge of international laws and regulations, dating back to our founders maintaining an office in France to serve Walt Disney’s intellectual property needs back in the early 1950s and leading up to our recent recognition of being a top law firm in the Southeast for economic development helping international companies locate manufacturing, operations, and headquarters into the

Southeast. Our Healthcare, Real Estate, Logistics and Transportation, Background Screening, and Financial Institutions practices serve many of the largest companies in their respective industries. For example, our Healthcare practice serves eight of the top 10 largest long-term care companies located across the country.

AGG enhances its international services for clients through our membership in Legalink, a network of more than 70 independent law firms comprising approximately 3,500 lawyers practicing in the majority of the world's main commercial areas. We are also a member of the exclusive global network Employment Law Alliance.

## Recognition for Excellence in Client Service

Our commitment to the industry is best reflected in feedback from our existing clients in response to surveys from leading peer and client rating services, such as *Chambers USA* and *The Best Lawyers in America®*, who have stated AGG provides a “high level of expertise with attentive client service to provide real value for the money;” “always on time and on budget;” “their work quality is superb;” “what makes them really stand out is their responsiveness, and their ability to understand the business issues, not just the legal issues;” and AGG’s healthcare practice specifically “offers a tremendous breadth of experience, excellent service, and responsiveness at a reasonable rate.”

A recent edition of *Chambers USA*, a leading guide of top law firms and lawyers worldwide, ranked AGG’s Healthcare practice as “Band 1” and included this commentary from clients:

- Known for being “extremely knowledgeable and helpful” and providing “timeliness and thoroughness of responses.” Clients admire AGG’s “general understanding of the business perspective.” “AGG is extremely knowledgeable and helpful. We have a process where I am able to contact a single person to begin conversation on an issue. If they feel someone else on their team is best suited to address the issue for me, they refer it to them, but remain in contact to ensure resolution.”
- *Chambers USA* states AGG is a “Highly adept team advising on a broad range of healthcare work, including M&A and joint ventures. Also excels in FCA investigations and certificate of need disputes. Acts for clients across the healthcare sector, including healthcare systems, long-term healthcare providers and healthcare-focused private investment management firms. Frequently represents major national and multinational healthcare entities.”

The number of AGG attorneys and practices ranked in leading guides and publications continues to increase.

<b>68</b> Attorneys ranked in 2022 <i>Best Lawyers</i>	<b>24</b> Practices ranked in Atlanta and D.C. in 2022 <i>Best Law Firms</i>	<b>6</b> Practices ranked nationally in 2022 <i>Best Law Firms</i>	<b>25</b> Attorneys ranked in 2021 <i>Chambers USA</i> guides
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# Healthcare Practice Overview

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With more than 60 attorneys working on matters related to healthcare, and dozens who focus strictly on this area of the law, we handle transactions, litigation, and regulatory matters for clients across the healthcare industry.

We are uniquely positioned to handle both smaller deals and multi-billion dollar transactions along with other sophisticated legal matters often faced by healthcare operators. With distinctive experience in fraud and abuse cases, we provide analysis and compliance counseling while also helping clients navigate through critical government investigations and self-disclosures.

We've become our clients' trusted partners because we're experts at navigating the challenging regulatory environment that healthcare organizations face and we use our expertise to devise holistic, innovative solutions to fit each client's circumstances.

We speak our healthcare clients' language because we have worked in the industry or in the agencies that interface with it. Our attorneys have worked as in-house counsel for various healthcare companies; handled front-line work in healthcare organizations, including overseeing clinical trials; served in agencies, such as the Department of Health and Human Services and in the Centers for Medicare and Medicaid Services (CMS); advised CMS and trade associations; and held university faculty positions in disciplines relating to healthcare.

Our creative counseling and advocacy have earned us many accolades, including a spot on the American Bar Association Health Law Section's list of the top 10 practices in the Southeast and Washington, D.C. region.

## Focus Areas

- Healthcare Litigation
- Healthcare Regulatory & Compliance
- Healthcare Transactions

## Additional Specialties

### *Licensure*

We help our national healthcare clients obtain timely licensure and comply with state regulations and requirements so they can keep doing business and serving their communities. Our healthcare attorneys offer proactive advice and support and submit licensure applications. We work on a daily basis with state regulators, boards and state agencies to analyze licensure requirements, and provide expertise in handling complex licensure matters.

### *Operational Matters*

Healthcare providers need legal assistance across all aspects of their business including day-to-day operations. Because of our familiarity with the legal and practical issues that hospitals, health systems, health clinics, and other institutional providers face we are equipped with full understanding of the challenges that may arise. We understand how effective operations, patient outcomes, and a provider's success are all fundamentally linked.

## Examples of Firm-Wide Representative Experience

- Successfully defended and resolved series of complex healthcare billing claims for healthcare provider client, including coordinating multi-jurisdiction litigation and state-level RAC audits related to the underlying billing dispute.
- Represents physicians in reimbursement cases against commercial and public payers in state and federal courts, nationwide.
- Representation of financial institution in connection with leveraged buy-out of in-home healthcare services companies in Georgia, New York and Connecticut by Sponsor-owned competitor
- Represented a publicly traded REIT in a \$1.125 billion acquisition and restructuring of a senior housing provider that operates 96 senior-living communities as well as pharmacies in the Midwest.
- Obtained a precedent-setting ruling that low Medicaid payment rates to healthcare providers may constitute an unconstitutional taking of property.
- Represented a coalition of national trade associations in securing the withdrawal of a proposed Medicare reimbursement rule.
- Performed an investigation into allegations of commercial bribery, economic espionage, and corruption involving a large healthcare company with operations in the Caribbean. The investigation resulted in the termination of several vendor contracts, the termination of several company officers, and civil litigation against several vendors.
- Obtained precedent-setting injunctions restricting attorney advertisements targeting nursing homes.
- Obtained precedential temporary restraining order and settlement preventing the government from recouping against a hospice provider during its ZPIC appeal.
- Represented multiple long-term care hospitals, inpatient rehabilitation facilities, skilled nursing facilities, home health agencies, and hospice providers in responding to Medicare Program Integrity audits and related reimbursement appeals before the Centers for Medicare & Medicaid services, including Administrative Law Judge hearings at the Office of Medicare Hearings and Appeals.
- Represented a private equity client in its acquisition of three (3) ophthalmology medical practices and their associated ambulatory surgical centers.
- Counseled a national provider of long-term care services in a multi-state restructuring and acquisition of a large national provider of nursing home and rehabilitation services, which included consideration of change of ownership, certificate of need, Medicare, and Medicaid regulatory issues.
- Representing mid-market private equity firm in acquisition of medical device manufacturer.
- Advised early-stage pharmaceutical companies on a range of capital-raising efforts, including venture capital financing and use of royalty structures involving outside organizations
- Assisted practice physician practice group with an investigation related to the reuse of single-use devices.
- Advised a leading owner-operator of integrated senior healthcare campuses in multiple facility refinancings (including with HUD) in a number of states, including Indiana, Kentucky, Michigan, and Ohio. AGG assisted with determining any filing requirements for the refinancings, the compilation of filings, and the opinion-writing process for the many facilities, including nursing facilities, assisted living facilities, residential care facilities, and homes for the aged.
- AGG advised on an asset transaction for a skilled nursing facility operator, which operates senior-care facilities in several small Georgia communities. Because the transaction involved a hospital authority owner of the real

estate, AGG handled the filing of a full certificate-of-need application, a 60-day process that requires gathering a significant amount of information and data.

- Represents multiple emergency medicine physician practices as plaintiffs in a civil RICO action against a major payer and its cost containment vendor.
- Represented pharmacy health information provider in successfully defeating emergency TRO proceedings brought by competitor in federal court for alleged trade secret misappropriation, which result was followed by prompt dismissal of all claims in suit.
- Represented three private home care businesses in a simultaneous sale to a national private home care business.
- Represents multiple behavioral health facilities in a \$40M suit in federal court against BCBS Michigan for illegally underpaying thousands of patient claims.
- Represented a large medical practice in the redemption of departing shareholder physicians, including advice regarding post-shareholder employment and restrictive covenant enforcement issues.
- Represented a national medical practice and management company in the evaluation and response to federal and multi-state HIPAA security and privacy matters, including review of the alleged breach, assembly of patient and business partner communications, notification of state and federal parties.
- Represented a national medical practice and management company with regard to physician employee issues, including advice related to termination of physician employees and applicable restrictive covenant issues.
- Obtained a precedent-setting injunction restraining a national plaintiff law firm from using deceptive advertisements that mischaracterized nursing home survey results.
- Represented a national medical practice and management company in the evaluation and response to federal and state HIPAA security and privacy matters.
- Represented multiple, large medical practices in the development of medical directorship agreements.
- Represented a large health system in the development and negotiation of clinical trial program agreements.
- Advised a urology practice regarding a professional services agreement with a large integrated health system.
- Represented a national medical practice's and management company's expansion into multiple states, including advice regarding provider licensing and state corporate practice of medicine issues, including formation of new corporate entities as appropriate and drafting and negotiating provider employment agreements.
- Represented a large hospital system in the negotiation and drafting of a specialty co-management agreement including all corporate transactional agreements and development of applicable co-management measurement metrics in compliance with federal fraud and abuse requirements.
- Represented former CEO and Treasurer of national, publicly traded nursing home chain in parallel civil and criminal anti-kickback and false claims investigations. No charges or lawsuits were filed against client.
- Advised academic medical center in the development of intellectual property policies and procedures.
- Represented a large, multi-specialty institutional provider in its national expansion, including analysis of corporate practice of medicine issues; state and federal fraud and abuse analysis; joint venture formation and corporate governance issues.
- Participated as a key member of the team that implemented compliance standards arising from the first quality-based national five-year corporate integrity agreement with the Department of Health and Human Services (DHHS) Office of Inspector General (OIG).

# Healthcare Litigation

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Our Healthcare litigators distinguish themselves with an unusual combination of healthcare expertise and litigation prowess that's highly effective in protecting our healthcare-provider clients' interests in whatever dispute they may face. We bring our insiders' knowledge of the healthcare industry to the matters we handle in the courtroom, in arbitrations, and in complex administrative appeals.

We handle all aspects of provider-side healthcare litigation, from moving for injunctions against government recoupments or licensure revocations, to defending national False Claims Act investigations. In addition to False Claims Act and whistleblower defense, we litigate all forms of reimbursement disputes, including RAC, ZPIC, and MIC appeals. We also represent providers seeking to obtain or challenge Certificate of Need (CON) approvals. For providers facing steep fines and civil monetary penalties (CMPs), we are there from the IDR level all the way up through the Departmental Appeals Board (DAB) and on to the courts if necessary. In addition, we have a team of attorneys specifically dedicated to the defense of owners and operators of long-term healthcare facilities.

Our in-depth industry knowledge is complemented with clinical and provider-side experience because our team includes physical therapists, former general counsel for healthcare companies and a full-time registered nurse who provides medical record analysis and insights. Our group also includes Fellows of the Litigation Counsel of America, an invitation-only trial honor society.

## Focus Areas

- Reimbursement Disputes with Commercial and Governmental Payers
- Litigation
- Negotiations
- Reimbursement Audits, Overpayment Demands and Appeals

## Additional Specialties

### *Professional & Liability Defense*

We represent clients in medical liability and professional licensure cases throughout the Southeast. We work collaboratively with our healthcare clients, not only to defend current cases, but also to prevent or minimize future cases. Two of the key aspects of our practice are our intense focus on implementing comprehensive arbitration programs for our clients and our assistance in structuring clients' self-insurance trusts and captive insurance programs, which offer greater control and cost savings over litigation and budgets.

## Examples of Firm-Wide Representative Experience

- Have successfully collected tens of millions of dollars in reimbursements for providers in litigation, arbitration and informal disputes across the country.
- Represented multiple ER practices as plaintiffs in a civil RICO action in federal court in New York.
- Represented multiple emergency medicine physician practices as plaintiffs in a civil RICO action against a major payer and its cost containment vendor in Nevada and other state courts.

- Lead counsel for plaintiffs in two ERISA class actions in California federal courts against major payers who systematically underpay claims for certain services.
- Represents providers in a RICO class action against a major payer accused of using illegal medical necessity guidelines to systematically deny behavioral health claims.
- Successfully represented multiple behavioral health facilities in a \$40M suit in federal court against BCBS Michigan for illegally underpaying thousands of patient claims.
- Represented anesthesiologists and hospitalists in federal court in Florida against multiple national payers, seeking millions of dollars in damages.
- Represents Florida physicians and facilities in a \$50M state court suit against Florida Blue for systematically denying claims.
- Routinely represents providers in overpayment demand disputes from payer, either eliminating or drastically reducing amounts the payers were seeking to claw back.
- Obtained a multi-million-dollar verdict for an Atlanta-area hospital against one of its service providers in a federal court jury trial.
- Obtained a precedent-setting ruling that low Medicaid payment rates to healthcare providers may constitute an unconstitutional taking of property.
- Compelled arbitration for nursing home provider, then prevailed at arbitration and received an award of attorney's fees and costs against the plaintiff.
- Represented a coalition of national trade associations in securing the withdrawal of a proposed Medicare reimbursement rule.
- Represented the largest single-specialty allergy practice in the United States against a False Claims Act action brought by former employee. Managed substantial electronic discovery and assisted with settlement negotiations with the Department of Justice.
- Conducted an internal investigation of a hospital-run daycare facility following suspension of license, which resulted in reversal of adverse determination.
- Represented the Secretary of the North Carolina Department of Health and Human Services in a nine-week federal bench trial involving claims under the Americans with Disabilities Act and the CMS Medicaid Waivers. Secured favorable judgment on all claims at trial.
- Obtained favorable rulings from multiple state appellate courts enforcing nursing home arbitration agreements, including Georgia, North Carolina, South Carolina, and Florida.
- Obtained a precedent-setting injunction restraining a national plaintiff law firm from using deceptive advertisements that mischaracterized nursing home survey results.
- AGG obtained a temporary restraining order in federal court on behalf of a skilled nursing facility halting termination of the facility's provider agreement. Through a bankruptcy filing made during the pendency of the temporary restraining order, the skilled nursing facility has successfully avoided termination of its provider agreement pending completion of the appeals process.
- Successfully defended Health Management Associates at trial from claims that it breached the terms of an employment contract with a former employee.
- Obtained Order dismissing Heritage Healthcare of Ashburn from multi-party litigation based on the Plaintiff's failure to arbitrate claims of negligence as required under a valid and enforceable arbitration agreement.
- Represented developer in claims against contractor that misappropriated construction proceeds; secured favorable settlement in excess of sums taken.





# Matthew M. Lavin

Partner

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## Services

Complex Business Disputes, Government Investigations, Healthcare, Healthcare Litigation, Healthcare Regulatory & Compliance

Matt is a Healthcare and Commercial Litigation partner in the firm's Washington, D.C. office. He leads one of the most aggressive and respected provider and patient-side reimbursement practices in the country. Matt's cases are regularly reported on in Becker's, Modern Healthcare, Bloomberg and other publications. Matt prides himself on being on the right side of healthcare – routinely taking on the big issues in high-stakes cases.

Matt has experience with practically every aspect of the healthcare industry including private and public payer relationships, reimbursement disputes, audits, third-party repricing and cost containment, marketing, financing, government relations, regulatory compliance, and licensing.

He has successfully resolved countless reimbursement disputes with payers such as Aetna, Anthem, AmeriHealth, Ambetter, Beacon, Centene, HealthNet, Humana, Cigna, UnitedHealthcare, HealthNet, Magellan, Blue Shield California, BCBS TX and many of the other Blue Card Network plans. Matt also has expertise in suits against 'cost-containment' vendors who egregiously underprice the value of out-of-network claims. He is skilled at addressing unjust overpayment demands, pre-payment reviews and audits.

Matt is a lawyer who always puts his client's goals first and is often able to resolve matters without litigation.

## Representative Experience

- Has obtained millions of dollars for providers from commercial payers in litigation and arbitration.
- Has represented patients across the country in ERISA suits related to their healthcare plans.
- Successfully defends providers from illegal offsetting demands from commercial payers.
- Represents physicians in cases against commercial and public payers in state and federal courts, nationwide.
- Represents a class of healthcare providers in a nationwide class action against a leading payer for systematically denying claims based on unjust medical necessity criteria.
- Represents multiple emergency medicine physician practices as plaintiffs in a civil RICO action against a major payer and its cost containment vendor.
- Represents plaintiffs in numerous ERISA and RICO class actions in federal courts against major payers who systematically underpay claims for certain services.

- Represents providers in a RICO class action against a major payer accused of using illegal medical necessity guidelines to systematically deny behavioral health claims.
- Successfully represented multiple behavioral health facilities in a \$40M suit in federal court against BCBS Michigan for illegally underpaying thousands of patient claims.
- Successfully represented Florida physicians and facilities in a \$50M state court suit against Florida Blue for systematically denying claims.

## Education

- Tulane University, Juris Doctor (2002)
- New York University, Bachelor of Arts

## Bar Admissions

- District of Columbia

## Court Admissions

- United States District Court for the District of Columbia
- United States District Court for the Western District of Michigan
- United States District Court for Western District of New York
- United States Court of Appeals for the District of Columbia Circuit
- United States Court of Appeals for the Ninth Circuit



# Aaron R. Modiano

Of Counsel

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## Services

Complex Business Disputes, Government Investigations, Healthcare, Healthcare Litigation, Healthcare Regulatory & Compliance

Aaron is of counsel in the Healthcare and Litigation & Dispute Resolution practices.

Aaron focuses his practice on Parity Litigation and ERISA claims representing healthcare providers and patients against the largest health insurance companies in the country. Aaron also has experience and expertise in suits against 'repricing' and 'cost-containment' vendors who egregiously underprice out-of-network healthcare claims. He has also worked on plaintiff's environmental mass tort and class action litigation, concentrating on helping people harmed by exposure to hazardous soil, water, and air contaminants. Prior to joining AGG, Aaron worked in private practice where he represented clients in a wide range of civil litigation matters.

## Representative Experience

- Represents multiple ER practices as plaintiffs in a civil RICO action in federal court in NY
- Represents plaintiffs in numerous ERISA class actions in California federal court against Cigna, United and other payers for using Multiplan to systematically underpay outpatient claims
- Represents multiple facilities in a \$40M suit in federal court against BCBS Michigan for illegally underpaying thousands of patient claims

## Education

- The Georgia Washington University School of Law, Juris Doctor
- Yale University, Bachelor of Arts

## Bar Admissions

- State of Florida
- \*Not admitted in the District of Columbia. Supervised by a member of the District of Columbia Bar.



# Thomas E. Kelly

**Associate**

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## Services

Certificate of Need (CON), Healthcare, Healthcare Regulatory & Compliance, Reimbursement Audits and Appeals

Tom is an associate in the Healthcare practice and a member of the Post-Acute & Long-Term Care industry team. He counsels and represents a wide range of healthcare clients, including hospitals, skilled nursing facilities, hospices, and home health agencies, in areas such as certificate of need, facility licensure, reimbursement appeals, and government investigations. As part of his practice, Tom also has a depth of litigation experience in federal, state, and administrative courts.

## Representative Experience

- Served as co-first-chair over three-week bench trial appealing award of certificate of need to develop home health facility. Argued pre-trial motions, conducted witness examinations, and presented closing argument. Prior to trial, managed extensive electronic discovery, conducted depositions, and engaged in substantial motions practice.
- Represented the largest single-specialty allergy practice in the United States against a False Claims Act action brought by former employee. Managed substantial electronic discovery and assisted with settlement negotiations with the Department of Justice.
- Represented South Florida physician practice in dispute with North Carolina-based hospital system. Issues involved anti-competitive restrictive covenants and misappropriation of trade secrets by the hospital system.
- Conducted an internal investigation of a hospital-run daycare facility following suspension of license, which resulted in reversal of adverse determination.
- Advised and represented a nationwide chain of methadone clinics in variety of regulatory and litigation matters, including response to an EEOC complaint and investigation.
- Represented the Secretary of the North Carolina Department of Health and Human Services in a nine-week federal bench trial involving claims under the Americans with Disabilities Act and the CMS Medicaid Waivers. Secured favorable judgment on all claims at trial.
- Defended the North Carolina legislative leadership in several constitutional disputes before the North Carolina Supreme Court, ranging from school vouchers to composition of the State Board of Elections.

- Represented commercial real estate clients, including solar farm developers, in land use and rezoning regulation matters. Appeared before local zoning boards and city councils seeking or opposing rezoning, special or conditional use permits, and variances.

## Organizations

- American Health Lawyers Association
- Wake Forest University School of Law, Rose Council
- Pi Kappa Alpha, Alumni Advisory Board

## Education

- Wake Forest University School of Law, Juris Doctor
  - Managing Editor, *Journal of Business & Intellectual Property Law*
- Wake Forest University, Bachelor of Arts - Political Science

## Bar Admissions

- State of Georgia
- State of North Carolina

## Court Admissions

- United States District Court for the Western District of North Carolina
- United States District Court for the Middle District of North Carolina
- United States District Court for the Eastern District of North Carolina

United States Supreme Court



# Jason E. Bring

Partner

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## Services

Appeals, Certificate of Need (CON), Change of Ownership (CHOW), False Claims Act Defense, Government Contracts, Government Investigations, Healthcare, Healthcare Litigation, Healthcare Privacy, HIPAA, Healthcare Regulatory & Compliance, Litigation & Dispute Resolution, Reimbursement Audits and Appeals, White Collar Crime

Jason is a partner in the Healthcare and Litigation practice groups and is co-chair of the Post-Acute & Long-Term Care industry team. He is hired by nursing homes, hospitals, hospices, and other institutional providers who know his reputation for precedent-setting legal results. Jason defends public and private organizations across the broad healthcare industry in litigation, governmental investigations, regulatory compliance, and administrative disputes. His widely respected defense abilities span False Claims Act (whistleblower) cases and investigations nationally, as well as defending various Medicare and Medicaid audits. Jason also represents providers in certificate of need (CON) matters and pursues administrative appeals on behalf of providers to recover and maximize reimbursement under the Medicare and Medicaid programs.

National and state associations such as the Georgia Hospital Association, the Georgia Health Care Association, the American Health Care Association, and the Georgia Hospice and Palliative Care Organization turn to Jason for guidance on legislative matters and appellate amicus briefs. Additionally, healthcare clients hire him for reimbursement matters, Medicare audits and appeals, and Unified Program Integrity Contractors (UPIC) audits and appeals.

Jason is deeply ingrained into the healthcare industry, serving as the immediate Past Chair of the Post-Acute and Long-term Services group of the American Health Lawyers Association (AHLA), the nation's leading largest educational organization devoted to legal issues in the healthcare field; the Legal Committee of the American Health Care Association (AHCA); the Board Member of the National Association for Home Care & Hospice (NAHC); the Board of Directors for the Georgia Hospice and Palliative Care Organization (GHPCO); the Legislative Committee of the National Hospice and Palliative Care Organization (NHPCO); and the Board of the Georgia POLST Collaborative. He is frequently sought as a speaker and contributor to some of the healthcare industry's most prominent organizations.

## Representative Experience

- Obtained precedent-setting injunctions restricting attorney advertisements targeting nursing homes.

- Obtained precedential temporary restraining order and settlement preventing the government from recouping against a hospice provider during its ZPIC appeal.
- Successfully defended hospice in a federal False Claims Act investigation by filing a series of proactive motions, resulting in a significantly reduced settlement with no corporate integrity agreement.
- Argued and obtained precedent-setting decision from the Georgia Supreme Court extending enforceability of nursing home arbitration agreements to survivors. (*United Health Services v. Norton*, 300 Ga. 736 (March 6, 2017)).
- Obtained favorable rulings from multiple state appellate courts enforcing nursing home arbitration agreements, including Georgia, North Carolina, South Carolina, and Florida.
- Obtained a precedent-setting injunction restraining a national plaintiff law firm from using deceptive advertisements that mischaracterized nursing home survey results.
- For a healthcare client facing forced closure for relocating without obtaining government approvals, we implemented a strategy to form a new company to apply for the necessary approvals. Over the objections of competitors, we were able to obtain licensure approval, keep the client operational the entire time, and successfully defend litigation challenging the new approval process.
- Gained CON approval for a new CyberKnife megavoltage cancer service.
- Represented an existing ambulatory surgery center in successfully challenging a competitor's application for a CON to develop an orthopedic surgery center. (*The Surgery Ctr. v. Hughston Surgical Inst.*, 293 Ga. App. 879 (2008)).
- Gained CON approval for a new cancer center over objections and administrative appeals by two competitors.
- Compelled arbitration for nursing home provider, then prevailed at arbitration and received an award of attorney's fees and costs against the plaintiff.
- Implemented a novel strategy of filing a federal lawsuit to successfully compel arbitration of a nursing home case, for Kindred Nursing Centers, resulting in a decision of first impression in Georgia. (*Kindred Nursing Centers Limited Partnership v. Cynthia Jones*, USDC Southern District of Georgia, Case No. CV409-105 (March 16, 2011))
- Successfully obtained reversal of over \$1.3 million in Medicare denials for nursing home therapy services by implementing strategy of attacking the statistical extrapolation methodologies used by the audit contractor.
- Obtained a decision of first impression in Georgia, for Omni H.C Inc. by establishing a statute of limitations for a cause of action for the False Claims Act retaliation provisions (*United States ex rel. Nichols v. Omni, H.C., Inc.*, No. 4:02-CV-66(HV), 2008 WL 906426 (M.D. Ga. March 31, 2008))
- Assisted hospice company in preventing Medicare recoupment resulting from a \$20+ million ZPIC audit and then successfully negotiating a resolution for mere fraction of the initial audit demand.
- Gained CON approval for a new cancer center for Meadows Regional Cancer Center LLC over objections and administrative appeals by two competitors. The approvals were upheld after additional judicial appeals.
- Obtained injunctive relief against the government to prevent the recoupment of alleged overpayments and then successfully negotiated a settlement preventing additional recoupment efforts during the appeal process. This was the first ruling of its kind in the country in a ZPIC appeal.

## Recognition

- *Best Lawyers in America®*, Healthcare Law, 2013-22
- *Chambers USA: America's Leading Lawyers*, Healthcare, 2014-15, 2020-21
- *Georgia Super Lawyers*, 2016-21

- “Legal Elite,” *Georgia Trend*, 2020
- Chair, Post-Acute and Long-Term Services Practice Group, American Health Lawyers Association
- Super Lawyer in Health Law, *Law & Politics and Atlanta Magazine*
- Senior Fellow, Litigation Counsel of America, The Trial Lawyer Honorary Society (by invitation only), 2009-present
- Fellow and Board Member, American Academy of Alternative Dispute Resolution

## Organizations

- American Health Lawyers Association, Immediate Past Chair of the Post-Acute and Long-Term Services Group
- National Hospice and Palliative Care Organization, Legislative Affairs Committee
- National Association for Home Care & Hospice, Board Member
- American Health Care Association, Legal Committee
- Georgia Hospice and Palliative Care Organization, Board of Directors
- Georgia POLST Collaborative, Board of Directors
- Georgia Academy of Hospital Attorneys
- The Trial Law Institute

## Education

- Georgia State University College of Law, Juris Doctor
- University of Georgia, Bachelor of Business Administration

## Bar Admissions

- State of South Carolina
- State of Georgia

## Court Admissions

- United States District Court for the Southern District of Georgia
- United States Court of Appeals for the Eleventh Circuit
- United States District Court for the Middle District of Georgia
- United States District Court for the Northern District of Georgia
- Supreme Court of Georgia
- Georgia Court of Appeals





# Sara M. Lord

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## Services

Anti-Corruption, Appeals, Complex Business Disputes, False Claims Act Defense, Food & Drug Compliance & Litigation, Government Contracts, Government Investigations, Healthcare, Healthcare Litigation, Litigation & Dispute Resolution, Securities Enforcement & Litigation, Stark & Self-Referral, White Collar Crime

Sara is a partner in the Litigation, Government Investigations and Healthcare practice groups, and serves on the firm's Diversity and Hiring Committees. An award-winning former federal prosecutor, she handles internal corporate investigations, responses to government audits and investigations, grand jury representations, white collar criminal defense and appellate matters. She has particular experience dealing with healthcare, public corruption, bank fraud, pension fraud, mortgage fraud and international investigative demands.

Before joining AGG, Sara served as an Assistant United States Attorney (AUSA) in the Northern District of New York, where she was, variously, the Financial Institutions Fraud Attorney, the Healthcare Fraud Coordinator, and the Professional Responsibility Officer. From 2007-2009, Sara was one of several attorneys detailed by the Department of Justice to Ukraine, where she worked closely with representatives of the Ukrainian Government on an Anti-Corruption Program that included (1) drafting a comprehensive code of professional ethics and conflicts of interest for public servants; (2) developing an effective system for financial declarations; and (3) establishing internal investigation units within selected government ministries. Before joining the U.S. Attorney's Office, Sara served as a Trial Attorney and Senior Litigation Counsel in the Public Integrity Section of the Criminal Division in the Department of Justice. Following her graduation from law school, she was a Judicial Law Clerk to the Honorable Bruce M. Selya in the District of Rhode Island.

## Representative Experience

- Defended a pharmaceutical company in a False Claims Act investigation where the Government ultimately elected not to intervene.
- Defended and negotiated the favorable settlement of a pharmaceutical False Claims Act case involving allegations of kickbacks regarding patient assistance plans.
- Represented a nursing home company in a state False Claims Act investigation, which was settled on favorable terms.
- Represented witnesses in a nationally significant matter involving several congressional committees.

- Reviewed and revised compliance programs for a national nursing home company.
- Successfully represented clients in various bid protests filed with various agencies and at the Government Accountability Office (“GAO”).

## Recognition

- Attorney General’s Distinguished Service Award, 1999. This recognition stemmed from Sara’s work leading the investigation and prosecution of a large-scale alien smuggling network that operated from China through Hong Kong, Thailand and Canada into the United States.
- John Marshall Award for Outstanding Legal Achievement in Litigation, 1992

## Organizations

- AHLA Fraud and Abuse Practice Group Enforcement Committee, Co-Chair
- Equinox, Board of Directors, 2006-07
- Yale Center for Parliamentary History, Board of Directors, 2003-07
- Homeless “Overflow” Shelter, Volunteer

## Education

- Harvard Law School, Juris Doctor
- University of Oxford, Master of Arts
  - Rhodes Scholar
- University of Oxford, Bachelor of Arts
- Yale University, Bachelor of Arts, with Distinction, *summa cum laude*
  - Phi Beta Kappa

## Bar Admissions

- Commonwealth of Massachusetts
- \*Not admitted in the District of Columbia. Supervised by a member of the District of Columbia Ba



# Nicole E. Wemhoff

Associate

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Suite 1000  
Washington, D.C. 20006

## Services

Healthcare, Healthcare Litigation, Healthcare Regulatory & Compliance

Nicole is an associate in the firm's Healthcare and Litigation practice groups.

Nicole's practice is focused on reimbursement matters for healthcare providers. She is experienced in resolving claims payment issues on a national level and has worked with numerous states' department of insurance to address underpayments and payer behavior. Nicole leverages her in-depth knowledge concerning federal and state regulatory matters to provide effective counsel to her healthcare clients on licensing, privacy, and confidentiality issues. She also drafts and counsels clients on admission and financial agreements, consents for disclosure of information, business associate and qualified service organization agreements, and data use agreements.

Nicole received her J.D. from Saint Louis University School of Law. During law school, she was an active member of the Health Law Association and served as a lead editor for *the Saint Louis University Journal of Health Law & Policy*.

## Organizations

- Chicago Bar Association
- Illinois Association of Healthcare Attorneys
- Illinois State Bar Association

## Education

- Saint Louis University School of Law, Juris Doctor
  - Health Law Association, Treasurer
  - *Saint Louis University Journal of Health Law & Policy*, Lead Editor
- University of Missouri-Kansas City, Bachelor of Health Sciences, *magna cum laude*

## Bar Admissions

- State of Illinois





## Litigation & Dispute Resolution

### OVERVIEW

Disputes and litigation are a significant cause of expense and uncertainty for any business. Given the stakes, we vigorously protect our clients' interest. But we also work to minimize the disruption that these challenges cause. Be it in state or federal courts, before arbitration bodies or through mediation, clients trust our knowledge and experience, which we've gained through years of amassing a winning track record.

One of our greatest strengths is our collaborative approach to serving our clients and our ability to call on other AGG professionals with the expertise needed for a particular matter. Regardless of whether the dispute is rooted in a healthcare issue or trademark misuse, commercial real estate or an employment controversy, we have the right people for the case, and we staff cases to win.

Our national litigation practice helps clients in courts throughout the United States. We're also internationally known for our alternative dispute resolution (ADR) expertise, which we've deployed on behalf of clients both at home and abroad.

We're also known for our experience with regulatory and agency investigations and prosecutions, and our clients benefit from the strong relationships we've built over the years with the regulatory bodies, be it the Department of Justice, the Securities and Exchange Commission, the Federal Trade Commission, or the Centers for Medicare & Medicaid Services.

But we're more than just hired guns that handle disputes and investigations once they arise. Instead, we're our client's trusted partners in proactively managing risk and exposure. By helping clients build robust compliance programs, conduct appropriate internal investigations, and educate personnel

on the right way to do things, we make sure that potential issues don't balloon into major litigation.

Our attorneys have been recognized by Chambers USA, Best Lawyers in America, and Super Lawyers for their leadership in litigation and ADR, as well as Atlanta Business Chronicle's Top 100 "Who's Who?" listings for Law and Accounting and International Business.

## Additional Specialties

- CLASS ACTION LITIGATION

Our litigators have achieved success in class actions and putative class actions across the country in suits involving the Employee Retirement Income Security Act ("ERISA"), the Fair Credit Reporting Act ("FCRA"), Fair Labor Standards Act ("FLSA"), Real Estate Settlement Procedures Act ("RESPA"), securities fraud, antitrust violations, and improprieties in the business practices of the payments and insurance industries.

- ELECTRONIC DISCOVERY

We help our clients manage their electronic information so that the cost and business disruption of e-discovery are minimized by using the latest e-discovery technology and staying current on the law. Not to brag, but even other law firms hire us as their e-discovery consultants.

## EXPERIENCE

- Acted as defense counsel in case where United States District Court entered judgment in favor of a group consisting of more than 20 financial services clients on the plaintiff's antitrust claims. The case was affirmed by the Eleventh Circuit Court of Appeals and the United States Supreme Court denied certiorari. *Akanthos Capital Management, LLC, et al v. CompuCredit Holdings Corporation*, 698 F.3d 1348 (11th Cir. 2012). Subsequently, successfully defended against plaintiff's attempt to relitigate same claims in a companion action. (11th Cir. 2013).
- Representing Zurich Services Corporation, the risk services subsidiary of Zurich American Insurance Co., in mass tort litigation arising from one of the worst industrial disasters in Georgia.

- Represents nonprofit educational and healthcare institutions against claims of tortious interference, racketeering and defamation.
- Successfully represented biomedical company in connection with a contentious, multi-million dispute arising from an exclusive distribution agreement, which included claims for breach of contract, breach of implied duty of good faith and fair dealing, fraud, RICO, misappropriation of trade secrets, libel, tortious interference, and the Georgia deceptive trade practices act.
- Successfully obtained judgment on behalf of financial institution in data breach litigation involving compromise of credit card data and ensuing credit card network liability.
- Following the filing of federal lawsuit and motion for injunctive relief, obtained successful settlement for home medical service provider on its claims for federal trademark infringement and various state law violations (including deceptive trade practices, dilution and unfair competition) against a competitor who had misappropriated client's trademark.
- Obtained rulings from the North Carolina Court of Appeals and South Carolina Court of Appeals enforcing pre-dispute arbitration agreements entered in connection with nursing home admissions. *Westmoreland v. High Point Healthcare Inc.*, 721 S.E.2d 712 (N.C. App. 2012) (holding that agreement was not unconscionable and enforcing agreement notwithstanding unavailability of AAA to administer arbitration); *Johnson v. Heritage Healthcare of Estill, LLC*, 2014-UP-318 (S.C. App. Aug. 6, 2014) (unpublished).
- Won several summary judgments for Certus Bank in suits to enforce promissory notes and guarantees involving several million dollars of debts secured by commercial and residential property and had receiver appointed to manage commercial properties.
- Won an injunction stopping a Recall Election of the Chairman of the Gwinnett County Board of Commissioners. The Court ruled that the Gwinnett Recall Committee did not prove there was probable cause to believe that the Commissioner had committed any acts that adversely affected the citizens of the County and enjoined the Elections Director from proceeding with the Recall Election.
- Successfully represented leading medical device company by persuading United States District Court for the District of Minnesota to dismiss a declaratory judgment action brought under Section 12(g) of The Exchange Act of 1934 based on lack of subject matter jurisdiction. Because our client, a publicly-traded corporation, did not have a private right of action to compel the plaintiff to register with the

SEC, the court did not have jurisdiction over a declaratory judgment action by the plaintiff seeking a ruling that it had no obligation to register its shares.

- Successfully represented a major media company in defending against a claim for invasion of privacy based on the use of hidden cameras during investigation of a news story. The United States District Court for the Northern District of Georgia granted a motion to dismiss the claim and the decision was upheld by the United States Court of Appeals for the Eleventh Circuit.
- Successfully represented musical artist in the defense of a claim for copyright infringement involving a Grammy Award winning song. The United States District Court for the Northern District of Georgia granted a motion for summary judgment, which was affirmed by the United States Court of Appeals for the Eleventh Circuit.
- Successfully represented a private investor in a fraud, negligent misrepresentation and securities action in a two-week trial in the United States District Court for the Northern District of Ohio that resulted in a jury verdict in excess of \$7 million. The verdict later was upheld by the United States Court of Appeals for the Sixth Circuit.
- Successfully represented a group of shareholders of a professional services company in a breach of contract action involving a contractual obligation to maintain an active shelf registration for their benefit. After obtaining summary judgment on liability as a result of a suspension of the shelf registration, we appealed the damages award to the United States Court of Appeals for the Eleventh Circuit, which certified the case to the Supreme Court of Delaware for a determination of the appropriate measure of damages. After argument in the Supreme Court of Delaware, that Court issued an opinion that resulted in the damages award being reversed and remanded to the District Court.
- Successfully represented an individual limited partner who was a guarantor of the partnership's loan from the defendant bank. After obtaining summary judgment on the plaintiff's claim for breach of the guarantee agreement, the case went to trial in the United States District Court for the Middle District of Georgia on our client's counterclaims and resulted in a jury trial in excess of \$3 million. The verdict was affirmed in the United States Court of Appeals for the Eleventh Circuit on a theory of tortious interference in fiduciary duty.
- Successfully represented a major wireless telecommunications provider in lawsuits against various governmental entities for claims arising under the Telecommunications Act of 1996. Lawsuits have resulted in more than 2 dozen federal court orders or settlements requiring that



permits be issued for the placement of wireless telecommunications facilities.

- Defended UHS-Pruitt Corporation in a two week nursing home liability jury trial, obtaining a favorable result on behalf of the client.
- Successfully defended medical device manufacturer in federal court bench trial against a claim for more than \$10 million based on an alleged breach of license. Unlike a typical breach of contract claim, the issues in this case required proving patent non-infringement and tendering expert testimony in a niche area of x-ray technology. Mr. Desai also handled and successfully defeated an appeal of the judgment before the Eleventh Circuit and Florida Supreme Court.
- Successfully represented national health care provider in dispute with former shareholders involving allegations of usurpation of corporate opportunities, breach of fiduciary duty, securities fraud, and denial of employee benefits.
- Represented a consumer products company in a suit against a competitor for trademark infringement and violations of Georgia's Deceptive Trade Practices Act and the federal Anti-cyber squatting Consumer Protection Act. The United States Court of Appeals for the Eleventh Circuit affirmed an order granting summary judgment to our client.
- Served as lead counsel for inside officers and directors in connection with breach of fiduciary duty claims asserted by bankruptcy trustee, resulting in favorable settlement for clients.
- Successfully defended a medical device manufacturer in federal court bench trial against claims for breach of a license agreement and assertion of over \$10 million in damages. Unlike a typical breach of contract claim, the issues in this case required proving patent non-infringement and tendering expert testimony in a highly niche area of x-ray technology.
- Successfully obtained a sanctions award and order rejecting a private company's efforts to curtail shareholder rights by refusing shareholder inspection requests.
- Obtained a jury verdict in the United States District Court for the Northern District of Georgia for \$3.5 million on a conspiracy to defraud client and her children of assets from the estate of her grandfather (the children's great grandfather). Judgment was affirmed on appeal by the 11th Circuit Court of Appeals. After the defendant began to hide assets to avoid collection of judgment, filed a RICO suit against defendant and his trust which was settled for more than the original judgment.

- Successfully obtained Article 37 emergency measures of protection before the International Centre for Dispute Resolution, and shortly thereafter, successfully resolved a multi-million dollar controversy between an international manufacturer and an American distributor.
- Obtained favorable settlement for a consumer products company in its trademark and copyright infringement lawsuit against an international counterfeiter. Conducted an ex parte seizure of counterfeit goods stored at a warehouse with the assistance of U.S. Marshals.
- Represented investment bank in suit by bankruptcy trustee seeking damages in excess of \$500 million based on allegations that fiduciary duty breaches in connection with a private notes offering allegedly deepened the debtor's insolvency. Obtained a large sanctions award against the trustee and his attorneys and a favorable settlement for the client.
- Defended investment bank, Merrill Lynch & Co., in connection with allegations that fiduciary breaches in connection with a notes offering allegedly "deepened debtor's insolvency." A large sanctions award was entered against the plaintiff and his attorneys and the client ultimately settled on favorable terms. *Levine v. Merrill Lynch & Co., et al.* (Superior Court of Fulton County, GA).
- Successfully served as lead counsel for local school board and certain of its employees in action under Americans with Disabilities Act. A judgment was entered in favor of clients after a bench trial. *Ellerbe v. Cobb County Public Schools* (N.D. Ga.).
- Developed plan to bind a group of dispersed individuals, shareholders of a for-profit corporation, that converted to a non-profit corporation, by filing a reverse class action lawsuit (the first in Georgia) whereby the judgment of the court bound all shareholders, whether or not their whereabouts were known.
- Served as lead counsel and represented insurance carrier in obtaining rescission of lawyer's professional liability policy based on insured's prior knowledge of claim. Summary judgment entered in favor of client in an order that clarified the meaning of the Georgia statutes applicable to rescission of insurance policies. *Home Indem. Co. v. Toombs*, 910 F. Supp. 1569 (N.D. Ga.).
- Obtained plaintiff's verdict, after one-week jury trial, in action for quantum meruit damages relating to work performed for the City of Atlanta under its minority business owners program.
- Represented major metropolitan housing authority defending claims brought by a member of a redevelopment company against the housing authority for alleged breach of contract and various tort claims. Obtained

order of dismissal of all claims against client at the pleadings stage of the litigation. The trial court's dismissal was affirmed by the Georgia Court of Appeals.

## CLIENT SUCCESSES

- AGG's Successful Claim on Behalf of a Large Government Contractor IT Reseller Serves as Case of First Impression at CBCA
- FlexDecks, Inc. – Government Contractor Resumes Work After Successful GAO Protest
- Campaign for Accountability – Carefully crafted strategy secures unanimous ruling from Georgia Supreme Court
- PPF RTL Atlantic Town Center, LLC; Hines – Unusual Approach Results in Nearly \$1.3 Million Judgment for Landlord Client
- Worldpay US, Inc. – Aggressive Defense Against ISO's Lawsuit Pays Off
- PruittHealth – Arbitration Enforcement Successfully Argued Before Georgia Supreme Court
- Dewberry Capital – Costs Charged to Commercial Tenant Upheld in Arbitration
- Atlanta Housing Authority – Skillful Explanation of Regulations Results in Trial Win
- First-Citizens Bank & Trust Company – Defense Shows Client Acted Properly in Loan Default Case
- Chattanooga-Hamilton County Hospital Authority d/b/a Erlanger Health System – Trial Court Awards \$36 Million to Client
- OliverMcMillan – Strong Tenant Interest at Two Luxury Retail Developments
- SPG International, LLC - Arbitrator Finds for Client in Commissions Dispute
- Travel Incentives Business - Summary Judgment Quashes RICO, Counterfeiting Claims
- Oglethorpe Power Corp. – Electronic Discovery Plan Helps Resolve Nuke Plant Dispute
- Family-Owned Insurance Brokerage – Defamatory Facebook Page Taken Down
- Helga Glock – AGG Convinces 11th Circuit to Establish New Law in Discovery Related to Cross-Border Litigation
- Beauford Properties, LLC – Effective Litigation Strategy Defeats Tenant's Claims

- The Heritage Bank – Defendants Agree to Consent Judgments on 100 percent of Debt
- Shane's Rib Shack - AGG Tapped to Defend the Company's Position and Uphold Termination
- UPPI, LLC – FTC Cracks Down on Anti-Competitive Tactics Harming Client
- Jungang PRI USA LLC - Trial Verdict Awards Hundreds of Thousands of Dollars to Client
- Gipson Family, LLLP - AGG Retained to Provide a Defense
- Shops Around Lenox - AGG Successfully Defends Radius Restriction Enforceability and Protects Client's Interest
- Trustee Neil Gordon – Pursuing Crime-Fraud Exception to Attorney-Client Privilege Prompts Settlement
- Hamilton State Bank - Brings Suit Against Borrower Entity and Individual Guarantors to Collect Note in Default
- Long County, Ga., Board of Commissioners and Board of Education - Innovative Solution to Redistricting Problem
- SSC Equity Holdings, LLC - Landlord's Demand for \$13 Million Rent Hike Preliminarily Enjoined
- Worldpay US, Inc. - Validity of Reserve Fund Defended After Data Breach
- Ningbo Hailun Musical Instruments Co. Ltd. - Dispute Creates Crisis in North American Market, AGG Succeeds in Obtaining Injunctive Relief in International Arbitration Forum
- CryoLife, Inc. - Suit Dismissed After AGG Challenges Federal Court Jurisdiction
- CryoLife, Inc. - Use of Cutting Edge E-Discovery Helps Procure Advantageous Settlement
- Merrill Lynch & Co. - AGG Exposes Deficiencies of Trustee Seeking \$500 Million
- North American Bioproducts Corp. - AGG's Creative Thinking Leads to a Cost-effective Solution and Trademark Protection Win
- SunTrust Bank - AGG Secures Important Win for Lenders in Foreclosure Case
- Zurich North America - AGG Persuasive That Convicted Attorney Is Ineligible for Insurance Money

## NEWS & INSIGHTS

- NEWS
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## Jeff Jacobovitz Quoted in Washington Post Article on Whether Trump Could Be Barred From Office

August 9, 2022 | In the News | Washington Post

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DL Law Group is a San-Francisco-based law firm that exclusively represents plaintiffs in ERISA and insurance bad faith matters. Its principal partners, **David M. Lilienstein** and **Katie J. Spielman**, combined have almost four decades experience representing policyholders. Mr. Lilienstein was admitted to the State Bar of California in 2001, and Ms. Spielman in 2007.

DL Law Group is one of a very few firms that consistently litigates mental health insurance claims, and specifically ERISA-governed mental health insurance claims. This is a very specialized area of practice, and the DL Law Group has successfully represented hundreds of claimants and plan participants. Many of these claims have been litigated, often in the United States District Court, Northern District of California, where they are either settled prior to trial or taken to verdict, while other claims are approved at the administrative review level

DL Law Group attorneys have written and spoken frequently about ERISA law, about litigating mental health claims, and about ensuring access to necessary health care treatment and services. Some of Katie Spielman's select speaking engagements include the following: "Applied Behavioral Analysis (ABA) Services Through Medi-Cal," Parents Helping Parents Vietnamese Support Group, San Jose, CA, August 16, 2016; "In-Home Supportive Services Eligibility and appeals," 2015 Information and Resource Conference, John O'Connell High School, San Francisco, CA March 21, 2015; "Social Security Overpayments and Appeals," Support for Families of Children with Disabilities, San Francisco, CA, August 18, 2015; "Collaborating to Address the Needs of Trafficked Survivors with Disabilities," Futures Without Violence, Global Webinar supported by Grant No. 2015-TA-AX-K029, awarded by the Office on Violence Against Women, U.S. Department of Justice, January 19, 2017; "Supported Decision Making, an Alternative to Conservatorships," presented in collaboration with the American Civil Liberties Union and UCSF Office of Developmental Primary Care, U.C. Davis MIND Institute, Sacramento, CA, August 5, 2016; "Who Decides? A

Dialogue on Conservatorship and Supported Decision Making,” Autism Society of Los Angeles, May 15, 2016.

Ms. Spielman also served as a Lecturer in Law at the University of California, Berkeley School of Law, where she taught the Civil Field Placement seminar to Berkeley law students.

Mr. Lilienstein founded the DL Law Group in 2007. He has discussed ERISA actions with upwards of 2000 individuals. He has been involved with hundreds of ERISA claims and cases. Along with Ms. Spielman, he is known in the legal community as an ERISA specialist. Among the articles he has authored or co-authored related to ERISA and or insurance actions generally are, David M. Lilienstein & Katie J. Spielman, Unum Group: Is Everything Old, New Again?, Plaintiff Magazine, September, 2017, and David M. Lilienstein & Katie J. Spielman, Do You Really Want That ERISA CASE?, Plaintiff Magazine, September 2018. Mr. Lilienstein has also authored articles on California’s Mental Health Parity Laws.